

## **Assembly Bill No. 2216**

### **CHAPTER 793**

An act to amend Sections 52240, 52241, and 52243 of, and to add and repeal Section 52244 of, the Education Code, relating to pupil instruction, and making an appropriation therefor.

[Approved by Governor September 23, 1998. Filed  
with Secretary of State September 24, 1998.]

On this date I have signed Assembly Bill No. 2216.

This bill would provide grants to school districts for fee assistance to economically disadvantaged students taking advanced placement examinations. However, I am reducing the appropriation from \$2.5 million to \$1.5 million to better reflect the expected demand for assistance. This level of funding will provide state subsidies for 37,500 economically disadvantaged students. Although enrollment of economically disadvantaged students in advanced placement courses will continue to grow over time, \$1.5 million will fully fund this program for 1998–99.

SEC. 5. (a) The sum of one million five hundred thousand dollars (\$1,500,000) is hereby appropriated from the General Fund to the State Department of Education for purposes of Section 52244 of the Education Code.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1998–99 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1998–99 fiscal year.

PETE WILSON, Governor

#### **LEGISLATIVE COUNSEL’S DIGEST**

**AB 2216, Escutia. Pupils: advanced placement.**

Existing law authorizes a school district receiving economic impact aid funds to expend any portion of those funds to pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged pupils who are defined as either coming from a family that receives Aid to Families with Dependent Children or having limited English proficiency. Existing law requires the Superintendent of Public Instruction to have submitted a report to the Legislature on the effectiveness of the funding expended for that purpose in increasing the number of economically disadvantaged pupils passing the advanced placement examination.

This bill would establish a 5-year pilot grant program, administered by the State Department of Education, for the purpose of awarding grants to cover the costs of advanced placement examination fees. The bill would authorize any school district to apply to the

department for grant funding based on the number of economically disadvantaged pupils in the district who would take the next offered advanced placement examinations. The bill would authorize any economically disadvantaged pupil enrolled in an advanced placement course to apply to designated school district staff for a grant. Pupils receiving grants would be required to pay \$5 of the examination fee. The bill would revise the definition of economically disadvantaged pupil.

This bill would require the Superintendent of Public Instruction to submit, no later than January 1, 2004, a report to the Legislature on the effectiveness of the pilot program.

This bill would appropriate \$2,500,000 from the General Fund to the State Department of Education for purposes of awarding the grants to cover the costs of advanced placement examination fees. The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 52240 of the Education Code is amended to read:

52240. (a) The Legislature hereby finds and declares all of the following:

(1) Advanced placement courses, for which school credit is awarded, provide rigorous academic coursework opportunities for high school pupils and help to improve the overall curriculum at schools where they are provided.

(2) The successful completion of advanced placement courses and subsequent advanced placement examinations, which are conducted by the College Entrance Examination Board and for which college credit is awarded, provide a cost-effective means for high school pupils to obtain college-level coursework experience.

(3) To the extent that economically disadvantaged pupils are provided financial assistance to take advanced placement examinations, they will be provided with successful college-level experience and be encouraged to pursue postsecondary education opportunities.

(b) It is the intent of the Legislature, therefore, that certain state funding that currently is provided to school districts be made available to provide financial assistance to economically disadvantaged pupils in the payment of advanced placement examination fees. It is further the intent of the Legislature that a competitive grant program also be established for the purpose of awarding grants to economically disadvantaged pupils to cover the



costs of advanced placement examination fees, thereby creating a second source of financial assistance for economically disadvantaged pupils taking advanced placement examinations.

SEC. 2. Section 52241 of the Education Code is amended to read:

52241. For purposes of this chapter, the following terms have the following meanings:

(a) “Advanced placement examinations” means the advanced placement examinations conducted by the College Entrance Examination Board, on the basis of which participating institutions of postsecondary education award postsecondary academic credit.

(b) “Economically disadvantaged pupil” means a high school pupil who is any one of the following:

(1) A pupil who comes from a low-income household. As used in this chapter, “low-income” refers to a household the taxable income of which for the preceding tax year did not exceed 200 percent of an amount equal to the poverty level determined by using the criteria of poverty established by the Census Bureau of the United States Department of Commerce. Documentation of a pupil’s low-income status for the purposes of this subdivision shall be made in accordance with the following:

(A) In the case of a pupil who is 17 years of age or younger or who is a dependent within the meaning of the federal Internal Revenue Code, a signed financial need statement shall be submitted by the pupil’s parent or legal guardian, along with verification of this financial need from another governmental entity or a photocopy of the most recent federal income tax return filed by the pupil’s parent or legal guardian.

(B) In the case of a pupil who is 18 years of age or older or who is not a dependent within the meaning of the federal Internal Revenue Code, a signed financial need statement shall be submitted by the pupil, along with verification of this financial need from another governmental entity or a photocopy of the most recent federal income tax return filed by the pupil.

(2) A pupil who is eligible for federal free or reduced meal programs.

(3) A pupil who attends a school where at least 75 percent of all pupils enrolled are eligible for federal free or reduced meal programs.

SEC. 3. Section 52243 of the Education Code is amended to read:

52243. No later than January 1, 2004, the Superintendent of Public Instruction shall submit a report to the Legislature describing the effectiveness of the pilot grant program established pursuant to Section 52244. The report shall include specific recommendations to continue, discontinue, modify, or expand the program. The report shall include information on at least all of the following:

(a) The total number of pupils participating in advanced placement examinations, separately identifying the number of



economically disadvantaged pupils, and any increases in those numbers as a result of the funding made available pursuant to Section 52244.

(b) The performance and pass rates on advanced placement examinations on the part of economically disadvantaged pupils, including any increase in those rates.

(c) The number of pupils receiving financial assistance pursuant to Section 52244 for advanced placement examination fees.

(d) The number of economically disadvantaged pupils in advance placement programs who enroll in higher education institutions, separated by institutional segment.

(e) The number of economically disadvantaged pupils who have passed an advanced placement examination with a score of 3 or better in any subject and have taken an advanced placement course in that subject.

SEC. 4. Section 52244 is added to the Education Code, to read:

52244. (a) There is hereby established a pilot grant program for the purpose of awarding grants to cover the costs of advanced placement examination fees. The State Department of Education shall administer this program.

(b) Any school district may apply to the State Department of Education for grant funding pursuant to this section, based on the number of economically disadvantaged pupils in the district enrolled in advanced placement courses who will take the next offered advanced placement examinations. A school district that applies to the State Department of Education for this purpose shall designate school district staff to whom pupils may submit applications for grants and shall institute a plan to notify pupils of the availability of financial assistance pursuant to this section. Grants shall be expended only to pay the fees required of pupils to take an advanced placement examination.

(c) Any economically disadvantaged pupil who is enrolled in an advanced placement course may apply to the designated school district staff for a grant pursuant to this section. A pupil who receives a grant shall pay five dollars (\$5) of the examination fee.

(d) School districts and county superintendents of schools may join together and form collaboratives or consortia in order to participate in the grant program established by this section.

(e) Grants provided pursuant to this section shall not be used to supplant fee waivers available to low-income pupils who take advanced placement examinations.

(f) If the total school district applications exceed the total funds available pursuant to this section, the State Department of Education shall prorate the grants based upon the ratio of the total amount requested to the total amount budgeted by the state for this purpose.



(g) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

SEC. 5. (a) The sum of two million five hundred thousand dollars (\$2,500,000) is hereby appropriated from the General Fund to the State Department of Education for purposes of Section 52244 of the Education Code.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1998–99 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1998–99 fiscal year.

